

IN THE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

FILED
JAMES BONINI
CLERK

ANTONIO J. HOWARD,
DEFENDANT,

08 JAN 29 PM 1:37 PM

vs.

UNITED STATES OF AMERICA,
PLAINTIFF.

Original Criminal Case No:
CR-1-02-018

Hon. Judge Weber

MOTION FOR REDUCTION OF SENTENCE
IN PURSUANT TO 18 U.S.C. § 3582(c)(2)

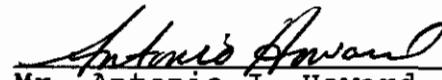
Now Comes the defendant, Antonio Howard, in pro se, in the above action, and respectfully submits to this Honorable Court this motion for reduction of sentence as a result of Amendment 706, as amended in 711, hereinafter, "711", of the United States Sentencing Guidelines, "U.S.S.G." § 2D1.1, "Drug Quantity Offense Table." Howard was sentenced by this Court and has exhausted his appellate process before amendment "711" took effect on March 3, 2008.

Based on the amended U.S.S.G. § [2D1.1(c)], Howard's total base offense level would be reduced from level (21), to level (19), Category (III). The reasons for amendment supports Howard being resentence at or below the low end of his amended guideline range. The Commission's findings that Howard's sentencing disparity is inconsistent with the 1986 Sentencing Act's goal of punishing major drug traffickers more severely than low-level dealers. Also, See, Kimbrough v. U.S., U.S. Supreme Court Case No. 06-6330, decided Dec. 10, 2007, (Echoing the Commission's findings of unjustifiable disparity of the 100 to 1 crack law). See, Filed PSR; J&C.

Howard's amended guideline range is (37-46) months. Howard is respectfully asking this Court to resentence him to the low end of his new amended guideline range and submit the following in support of his request:

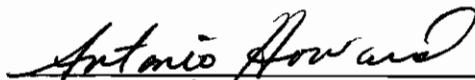
- The Court's previous § 3553(a)(1)(2)(A-D) evaluation justified a sentence at the low end of the guideline range, and current family, community ties and post-sentencing conduct would justify a resentence at the low end of 37 months.
- A resentence of 37 months for total amount of drugs Howard was held accountable to would address the Commission's concerns as noted herein.
- Howard has no prior violent arrest and have not engaged in any serious infractions.
- Howard has participated in post-sentencing training to prepare himself for reentry back into his community and family lives. See, Attached Records.

Respectfully submitted,


Mr. Antonio J. Howard, Pro se
#03519-061
P.O. BOX 6001
Ashland, Ky 41105

Certificate of Service

I, Antonio J. Howard, hereby certify that a foregoing copy of this § 3582(c)(2) motion has been forwarded to, Timothy D. Oakley, AUSA, 221 East Fourth St., Suite 400, Cincinnati, Ohio 45202, on this 24th day of January, 2008, by regular U.S. Mail, first class mail.


Mr. Antonio J. Howard, Pro se

ASH1H *
PAGE 001 OF 001 *INMATE EDUCATION DATA
TRANSCRIPT* 01-17-2008
* 09:04:03REGISTER NO: 03519-061 NAME...: HOWARD
FORMAT.....: TRANSCRIPT RSP OF: ASH-ASHLAND FCI

FUNC: PRT

----- EDUCATION INFORMATION -----

FACL ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
ASH ESL HAS ENGLISH PROFICIENT	04-15-2003 0928	CURRENT
ASH GED EARNED GED EARNED IN BOP	02-15-2005 0930	CURRENT

----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
ASH	BUSINESS PLAN WORKSHOP	08-01-2006	09-12-2006	P	C	P	16
ASH	CALITHENICS	07-17-2005	09-04-2005	P	C	P	18
ASH	CALITHENICS	05-17-2005	07-11-2005	P	C	P	18
ASH	GED MR. MILLER, 0730-0900	07-07-2003	01-27-2005	P	C	P	416
ASH	GED MR. BUTCHER, 0745-0930	05-24-2004	01-03-2005	C	W	I	0
ASH	GENERAL EDUCATION DEVELOPMENT	12-02-2003	05-24-2004	C	W	I	0
ASH SCP	GED MR. MILLER, 1200-1400	07-07-2003	12-02-2003	C	W	I	0

----- HIGH TEST SCORES -----

TEST	SUBTEST	SCORE	TEST DATE	TEST FACL	FORM	STATE
ABLE	LANGUAGE	9.0	12-29-2004	ASH	E	
	NUMBER OPR	11.5	08-12-2003	ASH	E	
	PROB SOLV	11.9	10-22-2003	ASH	F	
	READ COMP	13.0	08-12-2003	ASH	E	
	SPELLING	6.2	01-27-2004	ASH	E	
	VOCABULARY	10.9	10-22-2003	ASH	F	
GED	AVERAGE	454.0	02-07-2005	ASH	PASS	KY
	LIT/ARTS	510.0	02-07-2005	ASH	IB	KY
	MATH	460.0	02-07-2005	ASH	IB	KY
	SCIENCE	430.0	02-07-2005	ASH	IB	KY
	SOC STUDY	460.0	02-07-2005	ASH	IB	KY
	WRITING	410.0	02-07-2005	ASH	IB	KY

G0000

TRANSACTION SUCCESSFULLY COMPLETED